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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/789,975

02/27/2004

Jean-Marie Gatto

CYBS5858

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7590

04/06/2010

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EXAMINER

PATEL, NIRAV B

ART UNIT

PAPER NUMBER

2435

MAIL DATE

DELIVERY MODE

04/06/2010

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<p align="center"><b>Advisory Action</b> <b>Before the Filing of an Appeal Brief</b></p>	<p><b>Application No.</b> 10/789,975</p>	<p><b>Applicant(s)</b> GATTO ET AL.</p>	
	<p><b>Examiner</b> NIRAV PATEL</p>	<p><b>Art Unit</b> 2435</p>	

**--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

THE REPLY FILED 22 March 2010 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 4 months from the mailing date of the final rejection.  
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on \_\_\_\_\_. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

#### AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because  
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);  
(b) ☐ They raise the issue of new matter (see NOTE below);  
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).  
5. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.  
6. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  
The status of the claim(s) is (or will be) as follows:  
Claim(s) allowed: None.  
Claim(s) objected to: None.  
Claim(s) rejected: 17-25.  
Claim(s) withdrawn from consideration: 1-16,82 and 84-90.

#### AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).  
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).  
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

#### REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:  
See continuation sheet.  
12. ☐ Note the attached Information *Disclosure Statement*(s). (PTO/SB/08) Paper No(s). \_\_\_\_\_.  
13. ☐ Other: \_\_\_\_\_.

/Kimyen Vu/  
Supervisory Patent Examiner, Art Unit 2435

Continuation of 11 does NOT place the application in condition for allowance because: Applicant's arguments filed 03/22/2010 have been fully considered but they are not persuasive.

Regarding to applicant's argument to the claim limitation "code signing each executable software component subject to receiving certification...", Examiner disagrees since Yip teaches PKI enable application/software where the PKI certificate provides PKI services for use in digital signature [paragraph 0036]. Further, Gunyakti discloses a software with enterprise specific or volume-license-holder specific VLK wherein the plurality of computers or users of the enterprise install the software using the enterprise specific or volume-license-holder specific VLK. Therefore, each unique software associated with unique enterprise specific VLK for plurality of users. In addition, Yip teaches PKI enable application which is associated with an application specific certificate. Therefore, different software associated with different PKI certificate. In this case, the combination of Gunyakti and Yip teaches the claim limitation "identical executable software components in different ones of the plurality of gaming machines of the network connected gaming system are associated with identical identifiers and are code signed with identical PKI certificates, such that non-identical executable software components in different ones of the plurality of gaming machines are associated with separate and different identifiers and are code signed with separate and different PKI certificates and such that no two non-identical executable software components in different gaming machines are code signed with a same PKI certificate". Based on the reason above the cited prior art teaches the claim limitation, however, if the applicant believes that the pending claims are distinct from the cited prior art, the applicant needs to further modify the claim limitation/language to clarify the claim subject matter for further consideration and distinction from the prior art. Further, Fieres teaches software component receiving certificate including a unique identifier. Lambert teaches a method and system for securely control software execution by identifying and classifying software and locating a rule and associated security level for executing executable software. When the software is to be loaded, one or more rules correspond to the classification/identification for that software is used to determine whether the software can be loaded. Therefore, the combination of Gunyakti, Yip, Fieres and Lambert teaches the claim subject matter. Regarding to applicant's argument to claim 25, Examiner disagrees since claim 25 encompasses limitations that are similar to claim 17. The claim limitation "packaging the code signed authorized software component into an installation package", is nothing more than just executable software with signature. The cited references teach the executable software with signature as above.

For the above reasons, it is believed that the rejections should be sustained.